

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID R. KITTAY,

Plaintiff,

-v-

JOSEPH KORFF,

Defendant.

Case No. 08 CV 7421 (RPP)

**NOTICE OF MOTION FOR
JUDGMENT AS A
MATTER OF LAW OR, IN THE
ALTERNATIVE, FOR A NEW TRIAL**

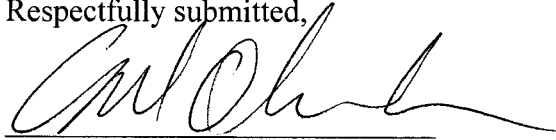
PLEASE TAKE NOTICE, that upon the accompanying memorandum of law, Declaration of Carl W. Oberdier, executed March 17, 2011, and the exhibits attached thereto, the defendant moves this Court:

- a. For Judgment as a Matter of Law, pursuant to Fed. R. Civ. P. 50(b); or in the alternative
- b. For a New Trial pursuant to Fed. R. Civ. P. 50(b) and 59(a); and

c. Such further relief as the Court deems just and proper.

Dated: New York, New York
March 17, 2011

Respectfully submitted,



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